

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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In the Matter of the Arbitration	:
Between	:
	:
HERRENKNECHT CORP.,	:
	:
Petitioner,	: <u> OPINION & ORDER </u>
	:
V.	: 06 Civ. 5106 (JFK)
	:
BEST ROAD BORING,	:
	:
Respondent.	:
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JOHN F. KEENAN, United States District Judge:


By Order dated April 16, 2007, the Court confirmed Plaintiff Herrenknecht Corp.'s arbitration award in the amount of \$465,106.30 plus interest, and directed Herrenknecht to submit an accounting of reasonable attorneys' fees and costs incurred in connection with making its motion to confirm the arbitration award. Subsequently, Herrenknecht's attorney, Paul Keneally, of the firm Underberg & Kessler, LLP, submitted an affidavit in support of Herrenknecht's application for fees. The affidavit states that a total of 25.3 hours were expended in connection with Herrenknecht's petition to confirm the arbitration award, including drafting, filing and serving the petition, for total attorneys' fees of \$5,826.24. The two attorneys who worked on this matter were Keneally, a partner, and Colin Ramsey, an associate. Keneally billed at the rate of \$260.00 per hour, and Ramsey billed at the rate of \$180.00 per hour in 2006 and \$190.00

per hour in 2007. In addition, the affidavit states that \$422.24 was expended in miscellaneous costs. The attorney's relevant time records are attached to the affidavit.

The time that Herrenknecht's counsel expended on the petition is reasonable, as are the rates charged by the attorneys who worked on the matter and the expenditure for miscellaneous costs. Accordingly, Herrenknecht is awarded \$5,404.00 as reimbursement for attorneys' fees and \$422.24 as reimbursement for miscellaneous costs. The Clerk of the Court is directed to enter judgment accordingly. This case is closed, and the Clerk is respectfully directed to remove this case from the Court's docket.

SO ORDERED.

Dated: New York, New York
June 4, 2007


JOHN F. KEENAN
United States District Judge